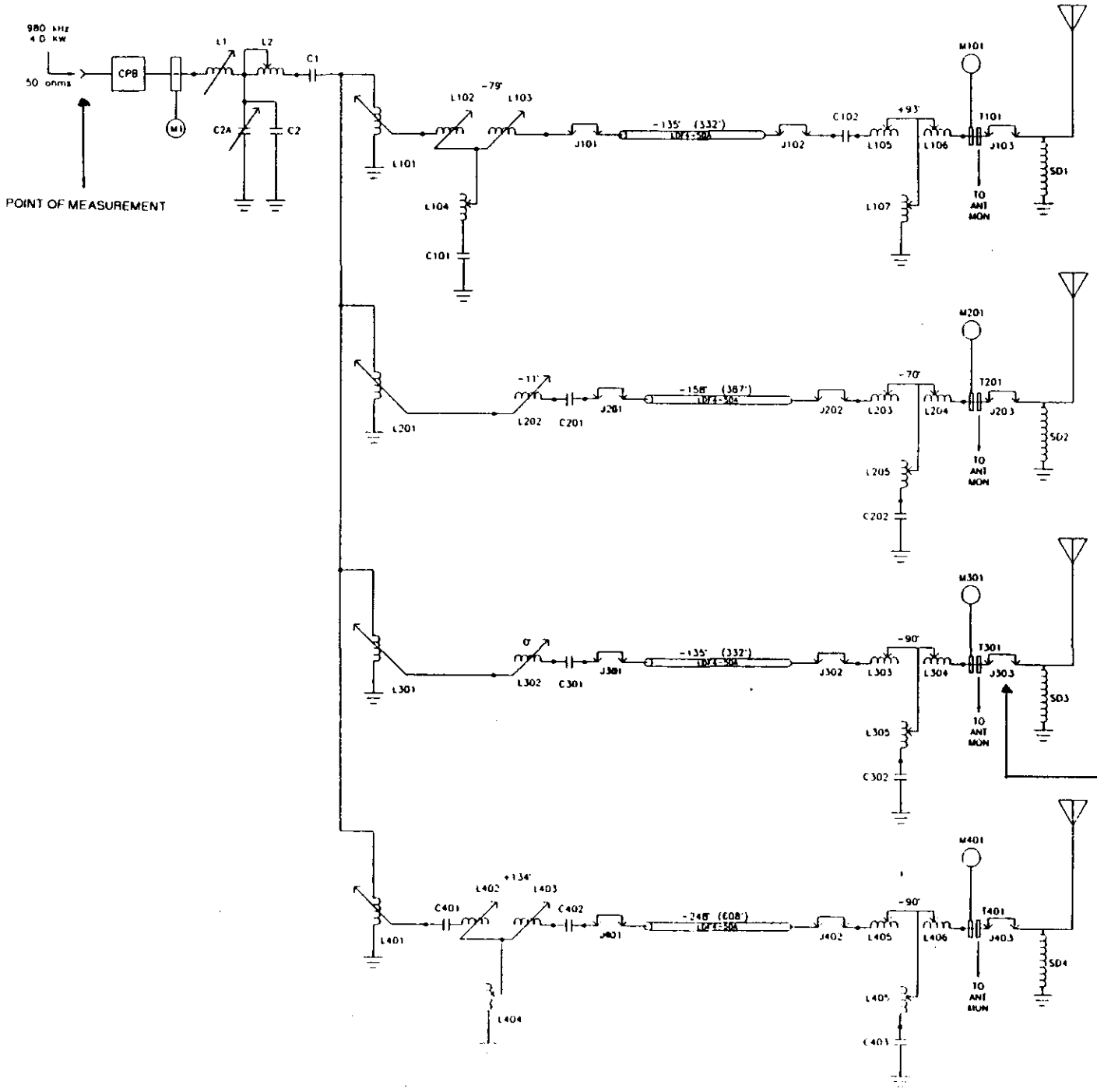
EXHIBIT G
SCHEMATIC DIAGRAM


980 kHz
4.0 kW
50 ohms
CPB
M1
L1
L2
C1
C2A
C2
POINT OF MEASUREMENT
L101
L102
-79°
L103
C101
L104
J101
-135° (332°)
J102
C102
+93°
L105
L106
L107
M101
T101
J103
TO ANT MON
SD1
TWR 1
0.547 ∠ +101°
ZDP = -17.7Ω -j 81.3Ω
Pwr = -669 W
IB = 6.28 A
G = 69.9
L201
-11°
L202
C201
J201
-158° (387°)
J202
L203
-70°
L204
L205
C202
M201
T201
J203
TO ANT MON
SD2
TWR 2
0.401 ∠ -21.6°
ZDP = -0.3Ω -j 82.4Ω
Pwr = -6.0 W
IB = 4.47 A
G = 69.9
L301
0°
L302
C301
J301
-135° (332°)
J302
L303
-90°
L304
L305
C302
M301
T301
J303
TO ANT MON
SD3
POINT OF MEASUREMENT
TWR 3 REFERENCE
1.000 ∠ 0°
ZDP = +18.0 -j 93.2
Pwr = 2424 W
IB = 11.6 A
G = 69.9
L401
C401
+134°
L402
L403
C402
L404
J401
-248° (608°)
J402
L405
-90°
L406
L405
C403
M401
T401
J403
TO ANT MON
SD4
TWR 4
1.033 ∠ +24.4°
ZDP = +15.7 -j 98.1
Pwr = 2261 W
IB = 12.0 A
G = 69.9
DA-NIGHT PHASING SYSTEM
KRTX 980 kHz
ROSENBERG, TEXAS
SCALE: DNA
DATE: 8-19-98

READ INSTRUCTIONS CAREFULLY BEFORE PROCEEDING

(1) LOCKBOX # 358190

FEDERAL COMMUNICATIONS COMMISSION

REMITTANCE ADVICE

PAGE NO. 1 OF 1

APPROVED BY OMB 3060-0589

SPECIAL USE

FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)
Heftel Broadcasting Corporation

(3) TOTAL AMOUNT PAID (dollars and cents)
$ 1,020.00

(4) STREET ADDRESS LINE NO. 1
3102 Oak Lawn Avenue

(5) STREET ADDRESS LINE NO. 2
Suite 215

(6) CITY
Dallas

(7) STATE
TX

(8) ZIP CODE
75219-6991

(9) DAYTIME TELEPHONE NUMBER (Include area code)
contact counsel: (202) 452-4831

(10) COUNTRY CODE (if not in U.S.A.)

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

SECTION B - APPLICANT INFORMATION

(11) APPLICANT NAME (if paying by credit card, enter name exactly as it appears on your card)
Tichenor License Corporation

(12) STREET ADDRESS LINE NO. 1
3102 Oak Lawn Avenue

STREET ADDRESS LINE NO. 2
Suite 215

(14) CITY
Dallas

(15) STATE
TX

(16) ZIP CODE
75219-6991

(17) DAYTIME TELEPHONE NUMBER (Include area code)
contact counsel: (202) 452-4831

(18) COUNTRY CODE (if not in U.S.A.)

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)

SECTION C - PAYMENT INFORMATION

(19A) FCC CALL SIGN/OTHER ID	(20A) PAYMENT TYPE CODE (PTC)	(21A) QUANTITY	(22A) FEE DUE FOR (PTC) IN BLOCK 20A	FCC USE ONLY
KRTX	M M R	1	$ 475.00	

(23A) FCC CODE 1: 980 kHz

(24A) FCC CODE 2: TX, Rosenberg-Richmond

(19B) FCC CALL SIGN/OTHER ID	(20B) PAYMENT TYPE CODE (PTC)	(21B) QUANTITY	(22B) FEE DUE FOR (PTC) IN BLOCK 20B	FCC USE ONLY
KRTX	M O R	1	$ 545.00	

(23B) FCC CODE 1: 980 kHz

(24B) FCC CODE 2: TX, Rosenberg-Richmond

(19C) FCC CALL SIGN/OTHER ID	(20C) PAYMENT TYPE CODE (PTC)	(21C) QUANTITY	(22C) FEE DUE FOR (PTC) IN BLOCK 20C	FCC USE ONLY
			$	

(23C) FCC CODE 1

(24C) FCC CODE 2

(19D) FCC CALL SIGN/OTHER ID	(20D) PAYMENT TYPE CODE (PTC)	(21D) QUANTITY	(22D) FEE DUE FOR (PTC) IN BLOCK 20D	FCC USE ONLY
			$	

(23D) FCC CODE 1

(24D) FCC CODE 2

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(25) PAYER TIN: 0 9 9 0 1 1 3 4 1 7

(26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2)
APPLICANT TIN: 0 7 5 2 4 6 5 9 8 8

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT

I, _____ (PRINT NAME), Certify under penalty of perjury that the foregoing and supporting information are true and correct to the best of my knowledge, infomation and belief. SIGNATURE _____

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28)

☐ MASTERCARD — MASTERCARD/VISA ACCOUNT NUMBER: _____ EXPIRATION DATE: _____ MONTH YEAR

☐ VISA — I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization(s) herein described. ▶ AUTHORIZED SIGNATURE _____ DATE _____

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

FCC FORM 159 JULY 1997 (REVISED)

HEFTEL BROADCASTING CORPORATION

013395

KRTX	4/13/99	$1,020.00	$1,020.00
		$1,020.00	$1,020.00

HBC
Heftel Broadcasting Corporation

HEFTEL BROADCASTING CORPORATION
3102 OAK LAWN AVENUE, SUITE 215
DALLAS, TX 75219
214-525-7700

WILMINGTON TRUST
WILMINGTON TRUST COMPANY
MILFORD, DELAWARE
62-47/311

013395

DATE	AMOUNT
4/13/99	$1,020.00

PAY TO THE ORDER OF

One Thousand Twenty Dollars And 00 Cents

FEDERAL COMMUNICATIONS COMM

VOID AFTER 180 DAYS
TWO SIGNATURES REQUIRED

Edward Pinto
AUTHORIZED SIGNATURE

⑈ 20000 13395 ⑈ ⑆ 031100474 ⑆ 1900 7030 ⑈

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

EXHIBIT 3

K · C

FEDERAL COMMUNICATIONS COMMISSION

445 12th Street, S.W.
WASHINGTON DC 20554

MASS MEDIA BUREAU
AUDIO SERVICES DIVISION
TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mmb/asd/

PROCESSING ENGINEER: Edward A Lubetzky
TELEPHONE: (202) 418-2700
FACSIMILE: (202) 418-1410/1411
MAIL STOP: 1800B3-EAL
INTERNET ADDRESS: elubetzk@fcc.gov

Richard A. Helmick, Esq.
Cohn and Marks
Suite 300
1920 N Street N.W.
Washinton, D.C. 20036-1622

JUL 5 1999

In re: Tichenor License Corporation
("Tichenor")
KRTX, Rosenburg-Richmond, TX
Facility ID: 57804
BP-970319AB (Construction permit)
BL-990415DC (License application)

Dear Mr. Helmick:

This is in reference to the license application and the request for program test authority that you filed on behalf of Tichenor License Corporation, licensee of station KRTX, Rosenburg-Richmond, Texas to operate with the facility specified in the construction permit (BP-970319AB).

Authority is granted KRTX to conduct **limited program tests** through January 6, 2000 in accordance with 47 CFR § 73.1620 and the above permit to operate on 980 kHz with a nominal power of 4.0 kW, nighttime. The nighttime input power is increased to from 4.3 kW to 4.48 kW in order to comply with 47 CFR §73.151, due to low measured effective field strength (RMS). The nighttime current is increased from 9.3 amperes to 9.46 amperes.

A preliminary review of the application indicates that the daytime registered coordinates (Lat: 29° 33' 11"- Long: 95° 47' 02") and nighttime coordinates (29° 49' 19"-95° 52' 58) are different than the ones specified in the permit (Lat: 29° 33' 10"- Long: 95° 47'00 day; 29° 49' 18"-95°53'00" night). Accordingly, Tichenor must file a minor change application (FCC Form 301) to correct coordinates. In addition, Tichenor must submit an exhibit to show the proposed main studio location is in compliance with 47 CFR § 73.1125.

Further action on the application will be withheld for a period of forty-five (45) days from the date of this letter to provide Tichenor an opportunity to submit an amendment to resolve all noted deficiencies. Failure to submit the amendment will result in the dismissal of the license application. Please note that any amendment must be submitted in triplicate to the Secretary of the Commission and signed in the same manner as the original application. KRTX should post

this letter as its authority to operate. Please advise this office of any discrepancies noted with this authorization.

Sincerely,

Edward P. De La Hunt
Acting Assistant Chief
Audio Services Division
Mass Media Bureau

cc: Lyndon H. Willoughby

Permittee: TICHENOR LICENSE CORPORATION

Station Location: ROSENBURG-RICHMOND, TX

Frequency (kHz): 980

Station Class: B

Transmitter Location:
TX - 0.5 mi N. of Morton Rd. on FM 2855, Katy.

	Daytime	Nighttime
Latitude:	N 29° 33' 10"	N 29° 49' 18"
Longitude:	W 95° 47' 0"	W 95° 53' 0"

Main Studio Location: (See Section 73.1125)
TX - xxx

Nominal Power (kW): Day: 1.0 Night: 4.0

Antenna Input Power (kW): Day: 1.0 Night: 4.320

Antenna Mode: Day: ND Night: DA

(DA=Directional Antenna; ND=Non-directional Antenna; CH=Critical Hours)

Current (amperes): Day: 4.88 Night: 9.46

Resistance (ohms): Day: 42.00 Night: 50.00

Antenna Description:

Non-Directional Antenna (Daytime):

Radiator Height: 70.1 meters; 82.5°
Theoretical Efficiency: 300.95 mV/m/kW at 1 km

Vertical, guyed, series-excited steel radiators of uniform cross section with FM antenna side mounted near the top.

Nighttime: Four(4), uniform cross-section, guyed, steel towers. A six foot grid type parabolic receiving antenna is side mounted on tower #3.

Ground System Description:

120 equally spaced, buried, copper radials about the base of each tower, each 61 meters in length plus a 7.3 meter by 7.3 meter copper screen mat at the base of each tower.

Painting and Lighting Specifications:

Daytime:

Twr No.	Overall Height (m)	Marking and Lighting Specifications FCC Form 715, Paragraphs
1	71.6	1,3,11 & 21

Nighttime:

Twr No.	Overall Height (m)	Marking and Lighting Specifications FCC Form 715, Paragraphs
1	60.7	None Required
2	60.7	None Required
3	60.7	None Required
4	60.7	None Required

DESCRIPTION OF DIRECTIONAL ANTENNA SYSTEM

Theoretical RMS (mV/m @ 1km): Night: 571.00

Standard RMS (mV/m @ 1km): Night: 599.92

Q Factor: Night: 20.00

Theoretical Parameters:

Nighttime Directional Antenna:

Tower No.	Field Ratio	Phasing (Deg.)	Spacing (Deg.)	Orientation (Deg.)	Tower Ref. Switch *	Height (Deg.)
1	0.5250	99.500	173.600	277.500	0	69.9
2	0.3790	-23.100	263.300	310.300	0	69.9
3	0.9780	-1.500	0.000	0.000	0	69.9
4	1.0110	22.900	199.300	230.900	0	69.9

* Tower Reference Switch:
0 = Spacing and orientation from reference tower
1 = Spacing and orientation from previous tower

Operating Parameters:

Nighttime Directional Operation:

Twr. No.	Phase (Deg.)	Antenna Monitor Sample Current Ratio	Antenna Base Current Ratio
1	101.50	0.543	0.538
2	-21.60	0.310	0.301
3	0.00	1.000	1.000
4	24.40	1.051	1.075

Antenna Monitor: Potomac Instruments Model 1901-4

Sampling System Approved Under Section 73.68(b) of the Rules.

Monitoring Points:

Nighttime Operation:

Radial (Deg. T)	Distance From Transmitter (kM)	Maximum Field Strength (mV/m)
7.0	5.86	21.80
57.5	4.95	86.90
196.5	5.15	72.10
250.5	7.43	63.20
288.0	6.87	3.60

Special Operating Conditions or Restrictions:

None Required

Obstruction marking and lighting specifications for antenna structure(s):

It is to be expressly understood that the issuance of these specifications is in no way to be considered as precluding additional or modified marking or lighting as may hereafter be required under the provisions of Section 303(q) of the Communications Act of 1934, as amended.

PARAGRAPH 01.0, FCC FORM 715 (OCTOBER 1985):
Antenna structures shall be painted throughout their height with alternate bands of aviation surface orange and white, terminating with aviation surface orange bands at both top and bottom. The width of the bands shall be equal and approximately one-seventh the height of the structure, provided however, that the bands shall not be more than 100 feet nor less than 1 and 1/2 feet in width. All towers shall be cleaned and repainted as often as necessary to maintain good visibility.

PARAGRAPH 03.0, FCC FORM 715 (APRIL 1985):
There shall be installed at the top of the structure one 300 m/m electric code beacon equipped with two 620- or 700-watt lamps (PS-40, Code Beacon type), both lamps to burn simultaneously, and equipped with aviation red color filters. Where a rod or other construction of not more than 20 feet in height and incapable of supporting this beacon is mounted on top of the structure and it is determined that this additional construction does not permit unobstructed visibility of the code beacon from aircraft at any normal angle of approach, there shall be installed two such beacons positioned so as to insure unobstructed visibility of at least one of the beacons from aircraft at any normal angle of approach. The beacons shall be equipped with a flashing mechanism producing not more than 40 flashes per minute nor less than 12 flashes per minute with a period of darkness equal to approximately one-half of the luminous period.

PARAGRAPH 11.0, FCC FORM 715 (APRIL 1985):
At the approximate mid point of the over-all height of the tower there shall be installed at least two 116- or 125-watt lamps (A21/TS) enclosed in aviation red obstruction light globes. Each light shall be mounted so as to insure unobstructed visibility of a least one light at each level from aircraft at any normal angle of approach.

PARAGRAPH 21.0, FCC FORM 715 (APRIL 1985):
All lighting shall burn continuously or shall be controlled by a light sensitive device adjusted so that the lights will be turned on at a north sky light intensity level of about 35 foot candles and turned off at a north sky light intensity level of about 58 foot candles.

*** END OF AUTHORIZATION ***

EXHIBIT 4

KIC

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET NW
WASHINGTON DC 20554

MASS MEDIA BUREAU
AUDIO SERVICES DIVISION
TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mmb/asd/

PROCESSING ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2665
FACSIMILE: (202) 418-1410
MAIL STOP: 1800B2
INTERNET ADDRESS: cnmiller@fcc.gov

June 3, 1999

John A. Borsari, Esq.
Borsari & Assoc., P.L.L.C.
Box 29
Arlington, Virginia 22210

Re: WQBS(AM), San Juan, PR
Facility Identification Number: 573
Aerco Broadcasting Corporation
Application for License, BL-990406DC
Construction Permit, BP-841219AB
Special Temporary Authority

Dear Mr. Borsari:

This is in reference to the above-captioned construction permit and pending application for license, as well as counsel's letter dated April 7, 1999, on behalf of Aerco Broadcasting Corporation (Aerco), requesting a second extension of the special temporary authority (STA) originally granted on February 23, 1998, for operation of Station WQBS with the facilities authorized by Construction Permit BP-841219AB, as modified and extended, but with power reduced to currently licensed levels.[1]

In support of the request for extension of STA[2], you state that the station has filed with the Commission an application for station license[3] providing a 5 kW proof of performance conducted when the station was constructed last year and that the licensee now believes that there should be no impediment to operation at the higher power.

---

[1] WQBS currently is licensed for operation on 870 kHz with 5 kilowatts, unlimited hours, employing the same directional antenna daytime and nighttime (DA-1-U). Construction Permit BP-841219AB, originally granted November 24, 1986, as subsequently modified and extended, authorizes relocation of the transmitter site and an increase in the daytime operating power to 9.6 kilowatts.

[2] Requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

[3] BL-990406DC.

Our review of License Application BL-990406DC reveals multiple deficiencies. In particular:

1) The license application specifies different operating facilities from those authorized by the permit. Specifically, the permit authorized operation with 9.6 kilowatts daytime and 5 kilowatts nighttime, employing different directional antenna patterns daytime and nighttime; whereas the license application specifies operation with 5 kilowatts daytime and nighttime, employing the same directional antenna pattern daytime and nighttime;

2) No daytime proof of performance, as required by the permit, was submitted with the application;

3) The nighttime proof of performance failed to include monitoring points on the 262° and 298° radials, as required by the permit. Instead, monitor points were established on the 260° and 300° radials. Any change in monitored radial directions from those specified on the permit requires prior authority from the Commission;

4) The daytime power employed for nondirectional field strength measurements was not specified in the application; thus, the nondirectional data cannot be analyzed by the staff;

5) The distribution of measurement points along several radials does not comply with Section 73.186 of the Commission's rules; in particular, insufficient measurements were taken within 3 kilometers from the antenna, and the measurements did not extend to 32 kilometers in several directions where an inspection of the maps indicates that measurement to that distance should be feasible (e.g., the radial did not terminate in the ocean at a lesser distance);

6) No showing was made in the application of compliance with the special operating condition regarding prevention of excessive exposure of humans to radio frequency radiation in excess of the Commission's exposure limits;

7) The geographic coordinates and elevation data supplied in the application for the towers do not match the data in the respective tower registrations.

In addition to the foregoing, it appears that the deficient proof of performance described above was conducted over one year ago, but the license application was not filed promptly with the Commission. Instead, the station continued operation under special temporary authority (STA), representing to the Commission that that the station had discovered interference problems during equipment testing at the higher daytime power, and that extension of the STA was necessitated by the delay encountered by the station's consulting engineer in formulating a solution to the interference problem. In any event, the proof of performance does not meet the Commission's requirements to demonstrate that the facilities have been constructed in accordance with the permit, and that the directional antenna system is operating properly.

Because of the serious nature of the foregoing deficiencies, we will dismiss the license application as patently defective. Furthermore, our review reveals that the most recent replacement of the construction permit, BP-980618JA, expired on April 7, 1999. Moreover, new Commission rules

which became effective on February 16, 1999, have a bearing on this construction permit. *See Report and Order, Streamlining of Mass Media Applications*, MM Docket No. 98-43, 13 FCC Rcd 23056, Para. 77-90 (1998); 63 Fed. Reg. 70,039 (December 18, 1998). Pursuant to these new rules, an applicant who has not completed construction within an unencumbered three year period forfeits its permit unless it can demonstrate that the three year period was tolled by narrow circumstances, such as by a flood or earthquake. Our records indicate that Aerco has had three unencumbered years to construct subsequent to the grant of its permit in 1986 and therefore the permit is subject to automatic forfeiture as of the April 17, 1999, expiration date, as a result of our dismissal of the subject license application. However, in order to provide for continued operation of Station WQBS and to allow time for the filing of a new application for construction permit,[4] we will grant an extension of STA.

Accordingly, License Application BL-990406DC IS HEREBY DISMISSED as patently defective. The request for extension of STA IS HEREBY GRANTED, for a period of 120 days. Station WQBS may continue to operate with the substantially adjusted directional antenna facilities formerly authorized by Construction Permit BP-841219AB, but with power reduced to 5 kilowatts, daytime and nighttime. It will be necessary to further reduce power or cease operation if complaints of interference are received. Aerco must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310. Within 30 days from the date of this letter, Aerco must file an application on Form 301 for a new construction permit, accompanied by an engineering exhibit which demonstrates that the proposal complies with the Commission's current technical rules.

The extension of STA granted herein expires on **October 3, 1999**. No extension of this authority is contemplated absent the filing of a properly-supported application for construction permit.

Sincerely,

Edward P. De La Hunt
Acting Assistant Chief
Audio Services Division
Mass Media Bureau

cc: Aerco Broadcasting Corporation

[4] We caution the licensee that any application for a new construction permit must comply with the Commission's current technical rules, which may require modification of the directional patterns and/or a reduction in operating power.

EXHIBIT 5

ENGINEERING EXHIBIT EE:

IN SUPPORT OF REPLY COMMENTS
BY EL DORADO COMMUNICATIONS, INC.
MM DOCKET 99-26

TABLE OF CONTENTS:

DECLARATION

I, John J. Mullaney, declare and state that I am a graduate electrical engineer with a B.E.E. and my qualifications are known to the Federal Communications Commission, and that I am an engineer in the firm of Mullaney Engineering, Inc., and that firm has been retained by El Dorado Communications, Inc. to prepare reply comments concerning the counterproposals filed in MM Docket 99-26.

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

John J. Mullaney

Executed on the 23rd day of June 1999.

ENGINEERING EXHIBIT EE:

IN SUPPORT OF REPLY COMMENTS
BY EL DORADO COMMUNICATIONS, INC.
MM DOCKET 99-26

NARRATIVE STATEMENT:

I. **GENERAL:**

This engineering statement has been prepared on behalf of El Dorado Communications, Inc. ("El Dorado"). The purpose of this statement is to support reply comments by El Dorado concerning two counterproposals filed in MM Docket 99-26.

MM Docket 99-26 initially involved the proposed allotment of FM Channel 285A to Pitkin, Louisiana. Two separate counterproposals were timely filed in that docket and the original petitioner, Panther Broadcasting of Louisiana, failed to file supporting comments. Thus, Pitkin, LA, is no longer in consideration for an allotment.

Counterproposal-1 was filed by Arkansas Wireless Co. ("Wireless") requesting the allotment of FM Channel 285A to Reeves, LA.

Counterproposal-2 was filed by Tichenor License Corporation requesting the deletion and re-allotment of three FM Channels at three separate communities and the continued operation by the respective licensees.

Deletion of 285A at Rosenberg, TX, and the re-allotment of 285C3 to Missouri City, TX. Tichenor is the licensee of KOVA 285A at Rosenberg.

Deletion of 285A at Galveston, TX, and the re-allotment of 287A to Crystal Beach, TX. Tichenor is the licensee of KLTO 285A at Galveston.

Deletion of 287C2 at Lake Charles, LA and the re-allotment of 285C3 to Moss Bluff, LA. Tichenor has a reimbursement agreement with the licensee of KZWA 287C2 at Lake Charles.

El Dorado believes that an entire new NPRM should be issued in this case because the captioned city failed to receive an indication of continuing interest. In the alternative, El Dorado supports the allotment of an FM Channel to Reeves, LA, and opposes the three substitutions proposed by Tichenor.

II. ENGINEERING DISCUSSION:

A. Reeves, LA - Proposal:

El Dorado supports the proposal by Arkansas Wireless to allot a new FM channel (285A) to Reeves, LA. An independent population evaluation of the allotment reference point indicates the potential maximum facility 60 dBu contour will provide service to 25,580 persons.

B. Tichenor Proposal:

El Dorado opposes the proposal by Tichenor which involves the re-location and disruption of three existing stations. The first change is a co-channel upgrade with a new city of license, the second is a channel change with a new city of license and the third is a channel change & downgrade with a new city of license.

We have reviewed the engineering statement prepared by du Treil, Lundin & Rackley, Inc., in support of the Tichenor proposal and find it to be factually accurate. Page 4 of that statement contained an analysis of the gain and loss populations resulting from each of the three proposals.

At the present time, the KOVA FM facility at Rosenberg has a 60 dBu population of 610,359 persons. The upgrade and move to Missouri City will result in a 60 dBu population of 2,424,036 persons. Of the existing service 44,784 persons will lose an FM service and 1,858,461 persons will gain an additional service. Tichenor also states that all of this gain & loss area is served by more than 5 existing aural services (page 5 of engineering). Figure 9 of the Tichenor engineering indicates that some of the Houston area population currently receive service from 26 existing aural services. The community of Missouri City has a population according to the 1990 Census of 36,176 persons and is part of the Houston Urbanized Area. The community of Rosenberg has a population of 20,183 persons.

At the present time, the Galveston facility has a 60 dBu population of 107,331 persons. The channel change and move to Crystal Beach will result in a 60 dBu population of 3,874 persons. Since the Galveston facility is currently a Class A station no downgrade was possible. Of the existing service 105,225 persons will lose an FM service and 1,768 persons will gain an additional service. Tichenor also states that all of this gain & loss area is served by more than 5 existing aural services.

At the present time, the Lake Charles facility has a 60 dBu population of 340,412 persons. The channel change, downgrade and move to Moss Bluff will result in a 60 dBu population of 177,079 persons. Of the existing service 180,640 persons will lose an FM service and 17,307 persons will gain an additional service. Tichenor also states that most of this gain & loss area is served by more than 5 existing aural services. However, 1,495 persons loosing service will now be limited to just 3 existing aural services and 444 persons will now be limited to just 4 existing aural services.

C. **Public Service Comparison:**

By re-allocating Ch. 285C3 to Missouri City the Tichenor proposal improves the service population of the Rosenberg station at the cost of a substantial reduction in the service populations of both the Galveston & Lake Charles stations.

The upgraded operation at Missouri City will result in a 297 percent increase in total population with a 7.3 percent loss in population. All of the gain and loss population receives more than 5 aural services.

The operation at Crystal Beach will result in a 96.4 percent reduction in total population with 98.0 percent of the population being currently served loosing that service. If Tichenor did not already control the Galveston facility it would appear extremely unlikely that it would be able to convince a truely independent owner to give-up 96.4 percent of its current 60 dBu population simply to permit the Rosenberg station to re-locate and increase its

population.

The operation at Moss Bluff will result in a 48 percent reduction in total population with 53.1 percent of the population being currently served loosing that service. The proposed loss population includes 1,939 persons that receive just 3 or 4 services.

Adoption of the Tichenor proposals will result in 330,649 current listeners being denied service from the three stations they have supported and come to rely on. One of the existing stations is so reduced in population (-96.4%) that it might as well be deleted from the FM table of allotments. El Dorado does not believe that this disruption in existing listening patterns is justified simply because one of those stations wishes to move closer to the Houston Urbanized Area, claim a new city of license which is part of the Houston Urbanized Area and provide service to a population some of whom currently receive service from 26 existing aural services.

Adoption of a new FM proposal at Reeves, LA, creates a new outlet for people to express their views and this better serves the public interest than an upgrade of existing facilities. Adoption of the Tichenor proposal results in no additional FM stations.

D. Potential Objections by FAA to Tichenor Proposal:

An evaluation of the Tichenor proposal was conducted by John P. Allen ("Allen") to determine the likelihood of Tichenor being able to secure FAA approval. The Allen analysis concludes that Tichenor's Missouri City proposal

causes substantial electromagnetic interference (EMI) as evaluated by the FAA's computer program which is used to predict such potential interference. The existing facility at Rosenberg is predicted to cause 649 points of interference to one localizer frequency.

The FAA has a policy to permit the modification of existing facilities provided the modified facility is predicted to cause no greater number of points of interference and provided no additional FAA frequencies are impacted.

The analysis by Allen included the proposed allotment reference point at Missouri City and three additional reference points to the north, east & south. A site to the west was not evaluated since it would be short spaced. The analysis determined that each of the four sites caused between 3,100 to 4,680 points of interference involving four or five separate FAA frequencies. Based upon this substantial increase in predicted interference points and frequencies Mr. Allen concluded the FAA would object to the proposal for Ch. 285C3 at Missouri City.

A similar EMI analysis was conducted for the proposal to allot Ch. 285A to Reeves, LA. The analysis by Allen concluded that no interference would be predicted and therefore, the FAA would be expected to approve such a proposal.

Objections from the FAA based upon potential EMI has been a decisional factor in the outcome of FM channel rule makings decided by the FCC. Most recently, in MM Docket 97-196, the FCC deleted a previously allotted channel for which there was one pending application based upon that

applicant's inability to secure FAA approval. The FAA's objection to the pending application was completely based upon the prediction of EMI by the same computer program used in the Allen analysis. There the FCC stated that had they know of the EMI problem they would not have allotted the channel in the original rule making proceeding.

E. Existing Local Aural Services - Rosenberg, TX:

Besides the existing operation of KOVA FM (which began operation in December 1987), the city of Rosenberg (population 20,183) has one licensed daytime only AM facility, KRTX AM, 980 kHz, 1 kW ND-D. This AM facility is owned by Tichenor. KRTX holds a construction permit to operate with 5 kW day and 4 kW night using directional antennas from two separate sites. However, with the adoption of the 3 year term limits, that CP expired on 4/15/1999. The CP was originally granted on 9/7/1993 (file number 900130AE).

A review of the KRTX license file indicates that it filed a 302 application on 4/15/1999 indicating construction had been completed but the necessary field measurements were not yet completed and those necessary measurements were in the process of being made. No waiver or extension request was filed.

Without the necessary field measurements it is impossible for KRTX to obtain limited program test authority (PTA) and thus, commercial operation of the nighttime array at night is not permitted under the FCC rules. As of the middle of June (some 8 weeks later) no measurements have been filed by KRTX.

The KRTX CP also authorized the construction of a daytime directional facility at their current site. KRTX has not addressed this portion of the CP and why it failed to file its license application.

Based upon the above, it is believed that KRTX pending (defective) 302 application will be dismissed and that the underlining CP has already been automatically cancelled. KRTX must start the 301 application process completely over if it still wishes to improve its AM facility. It must also update where required its application for CP to insure that it now complies with the revised AM protection standards that were adopted in 1991. At the present time, KRTX is a daytime only AM facility. As a result of the cancellation of the AM CP, if Tichenor's request to move KOVA FM to Missouri City is granted then the 20,183 persons residing in Rosenberg with no longer have any licensed nighttime facility to rely on.

III. **SUMMARY:**

El Dorado believes that an entire new NPRM should be issued in this case because the captioned city failed to receive an indication of continuing interest. In the alternative, El Dorado Communications, Inc., supports the proposed allotment of Ch. 285A to Reeves, Louisiana. In addition, El Dorado opposes the counterproposal by Tichenor to modify three separate existing FM facilities. The proposed modifications substantially reduce the existing populations served by two of those stations. If Tichenor did not already own the most severely impacted of these facilities (Galveston) it is unlikely that it could convince a truely independent owner to give-up 96.4% of its existing 60 dBu population. Just because Tichenor owns the facility which benefits the most and the facility which is most severely impacted is no reason for one to conclude that

what is good for Tichenor is good for the public.

Furthermore, it is believed that Tichenor's Missouri City proposal will be unable to secure approval from the FAA. Without such approval from the FAA, Tichenor will be unable to produce the population increase that it bases its public interest argument on. Thus, a real potential exists for a substantial net reduction in service population since two of the changes may not be able to be reversed since new channels and new cities are involved.

Finally, the re-allocation to Missouri City will deprive Rosenberg of its only full-time aural service.

John J. Mullaney

June 23, 1999.

CERTIFICATE OF SERVICE

I, Pamela Presbury, an administrative assistant in the law firm of Davis Wright Tremaine LLP, do hereby certify that a copy of the foregoing "INFORMAL OBJECTION" has been sent by first-class mail, postage prepaid, this 22nd day of July, 1999, to the following:

Richard A. Helmick, Esq.
Cohn and Marks
1920 N Street, N.W.
Suite 300
Washington, DC 20036
Counsel for Tichenor License Corporation

Pamela Presbury

CERTIFICATE OF SERVICE

I, Pamela Presbury, an administrative assistant in the law firm of Davis Wright Tremaine LLP, do hereby certify that a copy of the foregoing "SECOND SUPPLEMENT TO REPLY COMMENTS AND OPPOSITION TO COUNTERPROPOSAL" has been sent by first-class mail, postage prepaid, this 22nd day of July, 1999, to each of the following:

John A. Karousos, Chief
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
TW-A325
445 12th Street, S.W.
Washington, DC 20554

Henry E. Crawford, Esq.
1150 Connecticut Avenue, N.W.
Suite 900
Washington, DC 20036-4192
Counsel for Panther Broadcasting of Louisiana

Roy R. Russo, Esq.
Richard A. Helmick, Esq.
Cohn and Marks
1920 N Street, N.W.
Suite 300
Washington, DC 20036
Counsel for Tichenor License Corporation

F. Joseph Brinig, Esq.
1427 Dolly Madison Blvd.
McLean, VA 22101
Counsel for Arkansas Wireless Co.

Pamela Presbury
Pamela Presbury